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EXAMINER
MORGAN, ROBERT W
PAPER NUMBER
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DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) App	\mathcal{H}_{-}	•						
### Examiner Robert W. Morgan 3528 **The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. **Examines of time rang be available under the profitions of 37 CFR 1.136(a). In neveral, however, may a legible stinely field **Examines of time range is period with the profitions of 37 CFR 1.136(a). In neveral, however, may a legible stinely field **Examiner of time the region of the profition of 37 CFR 1.136(a). In neveral, however, may a legible stinely field **Examiner of time the region of the profition of 37 CFR 1.136(a). In neveral, however, may a legible stinely field **Examiner of time the region of the profition of 37 CFR 1.136(a). In neveral, however, may a legible stinely field **Examiner of the profit of the mailing date of the communication, even if family field on the communication is non-final. **Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. **Disposition of Claims** **A) Claim(s)		Application No.	Applicant(s)					
Robert W. Morgan 3626	Office Action Summan		RODRIGUEZ-CUE, DOMINGO					
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Paper No(s)/Mail Date 6) Other:								
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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-38, drawn toward a system for providing wireless and paperless medical care, comprising a server running software connected to a network, classified in class 705, subclass 2.
- II. Claims 39-40, drawn toward a template for entering and viewing electronic records, classified in class 705, subclass 2.
- III. Claim 41, drawn toward a method for providing wireless, paperless medical care to a patient with real-time point-of-care testing in order to triage the patient, classified in class 705, subclass 2.

The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as system for providing wireless and paperless medical care comprising a server running software connected to a network used to receive clinical data. Invention II has separate utility such as a template for entering and viewing electronic records with the ability to cut and paste the medical information. Invention III has separate utility such as a method for providing wireless, paperless medical care to a patient with real-time point-of-care testing for to triage purposes. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and the search required for each group is not required for the other groups, and have acquired a separate status in the art

because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

If Applicant elects Group I, Applicant is required to select one of the following species from each group of species:

i. wherein the at least one template includes/is: Claims 4-15 (pick one).

ii. wherein the server is: Claims 17-21 (pick one).

iii. wherein the security: Claims 22-26 (pick one).

iv. wherein the server software provides: Claims 27-31 (pick one).

v. wherein the insurance processing includes: Claims 32-35 (pick one).

vi. wherein the clinical equipment provides functions: Claims 36-37 (pick one).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventor is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is (571) 272-6773. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RWM rwm

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600